

DC37 v. City, Related Public Employers, 32 OCB 7 (BOC 1983) [7-83
(Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

----- x

In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO

-and-

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

----- x

DECISION NO. 7-83

DOCKET NO. RU-886-82

DECISION AND ORDER

On December 15, 1982, District Council 37, AFSCME, AFL-CIO, filed its petition herein, requesting that the title of Statistical Secretary be added, by accretion, to Certification No. 46C-75 (as amended), covering various clerical and related titles.

In a letter dated January 13, 1983, the Office of Municipal Labor Relations of the City of New York stated that it did not object to the petition but pointed out that the sole incumbent of the requested title was employed in the Office of Management and Budget, "an agency excluded, in toto, from bargaining per decision 11-76." In a letter dated March 25, 1983, the OMLR explained that the title of Statistical Secretary, although originally created for the office of Management and Budget, was not intended to be used exclusively by that agency. In a letter

*

Decision No. 11-76 found that all employees of the Bureau of the Budget, predecessor agency of the office of Management and Budget, were "managerial and/or confidential employees" and, accordingly, excluded them from collective bargaining.

dated March 31, 1983, District Council 37 replies that it has no objection to the exclusion-from collective bargaining of Statistical Secretaries employed by the OMB. Our order herein will so provide.

ORDER

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

ORDERED that Certification No. 46C-75 (as previously amended) be, and the same hereby is, further amended to include the employees in the title of Statistical Secretary, except for those employed by the office of Management and Budget, subject to existing contracts, if any.

DATED: New York, N.Y.
April 11, 1983

ARVID ANDERSON
CHAIRMAN

MILTON FRIEDMAN
MEMBER

DANIEL G. COLLINS
MEMBER

DECISION NO. 7-83
DOCKET NO. RU-886-82

3

The title and title code number of the employees affected by this decision are as follows:

Statistical Secretary

05363